

## AN ORDINANCE 101903

### AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

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**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

#### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 2, Lot 3, and Lot 4, Block 4, NCB 11720; Lot 5 and Lot 7, Block 3, NCB 11719 from "R-5" Residential Single-Family District to "R-5" (CD-Multi-Family) Residential Single-Family District with a Conditional Use for multi-family dwellings not to exceed 18 units per acre.

**SECTION 2.** The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 3.** The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Street Trees required. (Local A Street requires 28 feet of pavement and a 50 foot ROW that leaves 22 feet for sidewalks and trees.)
- B. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the landscape ordinance.

**SECTION 4.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and

provided for in Section 35-491.

**SECTION 5.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 6.** This ordinance shall become effective on December 25, 2005.

**PASSED AND APPROVED** this 15<sup>th</sup> day of December, 2005.

ATTEST:

*Leticia M. Vaca*  
City Clerk

*[Signature]*  
M A Y O R  
For

APPROVED AS TO FORM:

*[Signature]*  
City Attorney

# Agenda Voting Results

**Name:** Z-18.

**Date:** 12/15/05

**Time:** 05:04:24 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2005239 CD (District 9): An Ordinance changing the zoning boundary from "R-5" Residential Single-Family District to "R-5" (CD-Multi-Family) Residential Single-Family District with a Conditional Use for multi-family dwellings not to exceed 18 units per acre on Lots 2 through 4, Block 4, NCB 11720; Lots 5 and 7, Block 3, NCB 11719, 2011, 2019 and 2027 Silver Oaks and 11218 and 11230 Brazil as requested by John A. Campbell, Applicant for Donald Pittman, Owner(s). Staff's recommendation was for approval. Zoning Commission has recommended approval with conditions: 1. Street Trees required. (Local A Street requires 28 feet of pavement and a 50 foot ROW that leaves 22 feet for sidewalks and trees.) 2. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the landscape ordinance.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

# CASE NO: Z2005239 CD

## Staff and Zoning Commission Recommendation - City Council

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**Date:** December 15, 2005

**Zoning Commission Meeting Date:** November 01, 2005

**Council District:** 9

**Ferguson Map:** 550 A4

**Applicant:** Owner

John A. Campbell

Donald Pittman

**Zoning Request:** From "R-5" Residential Single-Family District to "R-5" (CD-Multi-Family) Residential Single-Family District with a Conditional Use for multi-family dwellings not to exceed 18 units per acre  
Lots 2 through 4, Block 4, NCB 11720; Lots 5 and 7, Block 3, NCB 11719

**Property Location:** 2011, 2019 and 2027 Silver Oaks and 11218 and 11220 Brazil  
The intersection of Silver Oaks and Brazil

**Proposal:** To develop the property in accordance with the surrounding zoning

**Neighborhood Association:** Lockhill Estates Neighborhood Association

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis is not required

### Staff Recommendation:

Approval

The subject property is currently vacant. "R-5" CD Zoning District with a Conditional Use for Multi-Family units not to exceed 18 units per acre is appropriate for this location. These 5 parcels zoned are the last remaining "R-5" parcels. The surrounding "R-5" CD parcels were rezoned August 11, 2005. The requested zoning will complement the existing zoning and development. The property to the southeast is currently zoned "MF-33" and consists of duplex units. The zoning to the northwest is "PUD R-5" and consists of high-density single-family units. Rezoning the subject property may encourage infill development at this location.

The subject property is approximately 2.21 acres. The proposed rezoning could yield up to 39 units. Families occupying the proposed dwelling units would have access to bus transit facilities that currently exist along Belair and an elementary school located northeast of the subject property.

Staff recommends the following conditions:

1. Street Trees required. (Local A Street requires 28 feet of pavement and a 50 foot ROW that leaves 22 feet for sidewalks and trees.)
2. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the

# CASE NO: Z2005239 CD

## Staff and Zoning Commission Recommendation - City Council

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landscape ordinance.

### Zoning Commission Recommendation

Approval with conditions: 1. Street Trees required. (Local A Street requires 28 feet of pavement and a 50 foot ROW that leaves 22 feet for sidewalks and trees.)

2. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the landscape ordinance.

**CASE MANAGER :** Richard Ramirez 207-5018

### VOTE

<b>FOR</b>	11
<b>AGAINST</b>	0
<b>ABSTAIN</b>	0

<b>RECUSAL</b>	0
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**Z2005239 CD**

**ZONING CASE NO. Z2005239 CD -- November 1, 2005**

**Applicant: John Campbell**

**Zoning Request: "R-5" Residential Single Family District to "R-5" (CD Multi Family)  
Residential Single Family District with Conditional Use for multi-family  
dwellings not to exceed 18 units per acre.**

John Campbell, 11923 Pepperidge Cove, representing the owner, stated they are requesting this change in zoning to allow development of multi family dwellings. He stated he has been working with the neighborhood association and the school district that are in favor of this development. He further stated they are in agreement with staff's recommendations.

Staff stated there were 46 notices mailed out to the surrounding property owners, 2 returned in opposition and 13 returned in favor and no response from Lockhill Estates Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

### **COMMISSION ACTION**

The motion was made by Commissioner McAden and seconded by Commissioner Robbins to recommend approval with staff's recommendations:

- A. Street Trees required. (Local A Street requires 28 feet of pavement and a 50-foot ROW that leaves 22 feet for sidewalks and trees.)
  - B. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the landscape ordinance.
1. Property is located on Lot 2 through 4, Block 4, NCB 11720; Lots 5 and 7, Block 3, NCB 11719 at 2011, 2019 and 2027 Silver Oaks and 11218 and 11220 Brazil.
  2. There were 46 notices mailed, 2 returned in opposition and 13 in favor.
  3. Staff recommends approval.

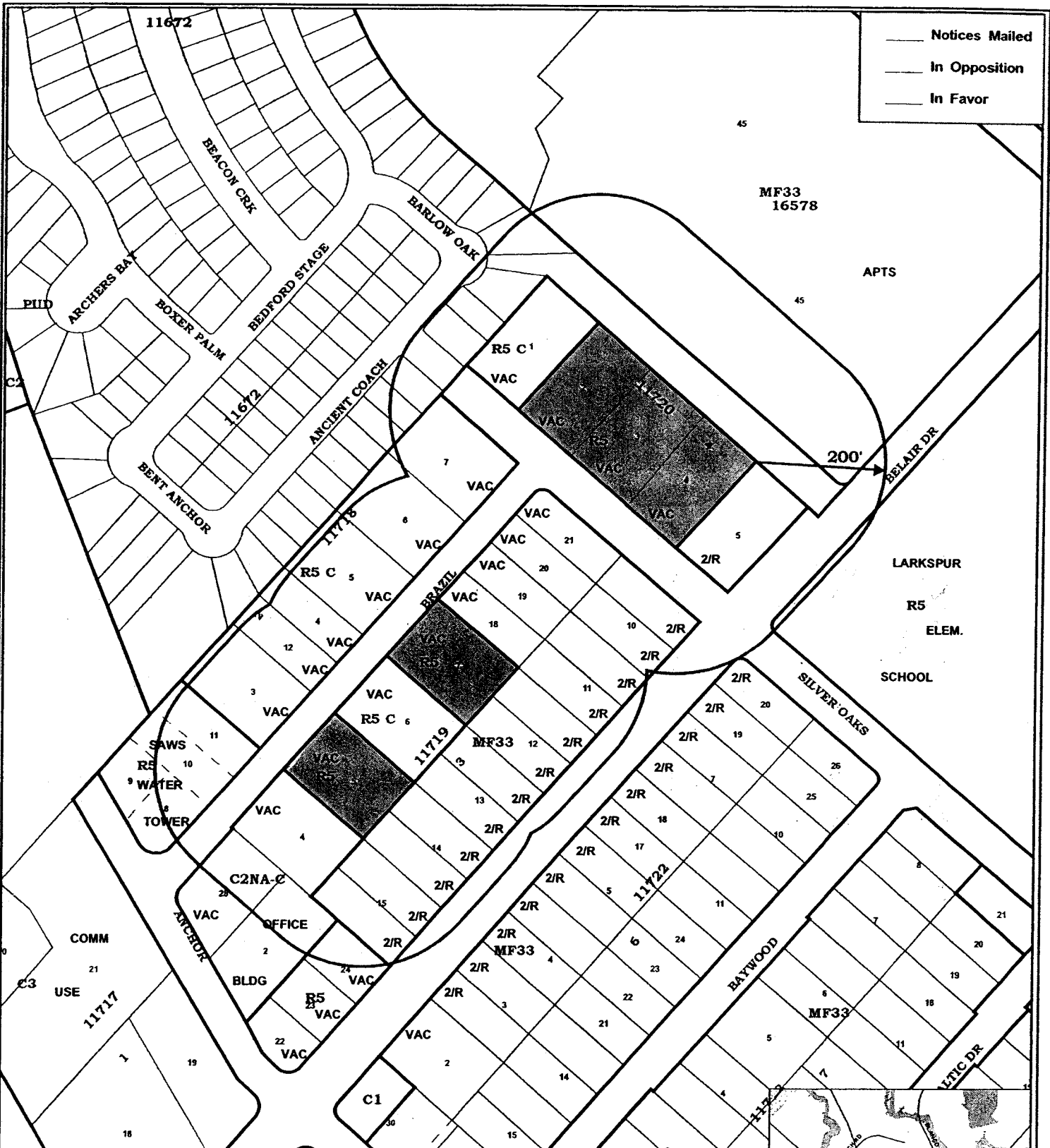
**AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Marshall, Sherrill, McAden, Avila, Stribling, Gray**

**NAYS: None**

### **THE MOTION CARRIED**

### **RESULTS OF NOTICE FOR COUNCIL HEARING**

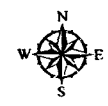
To be provided at Council hearing.



# **ZONING CASE: Z2005-239 CD**

City Council District No. 9  
 Requested Zoning Change  
 From "R-5" To "R-5 CD"  
 Date: December 15, 2005  
 Scale: 1" = 200'

■ Subject Property  
 ○ 200' Notification



C:\Oct\_4\_2005

